

**GOVERNMENT OF ANDHRA PRADESH**  
**A B S T R A C T**

PUBLIC SERVANTS - Andhra Pradesh Housing Board - Allegation of possession of assets disproportionate to the known sources of income against Sri P.D.Prakash, Senior Assistant (Retired) - Prosecuted in a Court of Law - Convicted - Withholding of entire pension and gratuity permanently under rule-9 of the Andhra Pradesh Revised Pension Rules, 1980 - Orders - Issued.

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**HOUSING (VIG.CELL) DEPARTMENT**

**G.O.Ms.No. 4**

**Dated:11-02-2009**

**Read the following:-**

1. Judgment dated 03.04.2008 of the Principal Special Judge for Special Police Establishment & Anti Corruption Bureau Cases, City Civil Court, Hyderabad in C.C.No.49 of 2003.
2. Govt.Memo.No.6074/Vig.Cell/2001-48, Housing (Vig.Cell) Department, dated 05.09.2008.
3. Explanation dated 18.09.2008 of Sri P.D.Prakash, Senior Assistant (Retired), Andhra Pradesh Housing Board, Hyderabad.

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**O R D E R:**

Whereas, Sri P.D.Prakash, Senior Assistant (Retired), Andhra Pradesh Housing Board, Hyderabad has been convicted on a criminal charge, under sub-section (2) of section 248 of the Criminal Procedure Code 1973 and has been awarded a sentence to undergo Rigorous Imprisonment for (1) year for the charge under clause (c) of sub-section (1) of section 13 punishable under sub-section (2) of section 13 of the Prevention of Corruption Act, 1988 (Central Act, 49 of 1988) and also to pay a fine of Rs.1,000/- and in default to pay fine amount, to undergo Simple Imprisonment for (1) month in Calendar Case No.49 of 2003, dated 03.04.2008;

(2) And whereas, it is considered that the conduct of the said Sri P.D.Prakash, Senior Assistant (Retired), which has led to his conviction, is such as to warrant the imposition of a major penalty of withholding of entire pension and gratuity permanently on the said Sri P.D.Prakash, Senior Assistant (Retired), under sub-rule (i) of rule-25 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 read with rule-9 of the Andhra Pradesh Revised Pension Rules, 1980. As required under rule-9 of the Andhra Pradesh Revised Pension Rules, 1980, a copy of the judgment first read above, has been communicated to the said Sri P.D.Prakash, Senior Assistant (Retired), with a direction to submit his explanation on the proposed punishment of withholding entire pension and gratuity permanently vide Government Memorandum 2<sup>nd</sup> read above;

(3) And whereas, the said Sri P.D.Prakash, Senior Assistant (Retired) has submitted his explanation in the reference 3<sup>rd</sup> read above, stating among others things that he filed an appeal before the Hon'ble High Court against the judgment of the Principal Special Judge for Special Police Establishment & Anti Corruption Bureau Cases, Hyderabad and the Hon'ble High Court has been pleased to admit the Criminal Appeal No.488 of 2008 on 18.04.2008 and passed the following interim orders in Criminal Appeal Miscellaneous Petition No.743 of 2008 and in Criminal Appeal Miscellaneous Petition No.744 of 2008 respectively:

“The confiscation order by the trial court on 03.04.2008 is suspended until further orders”

“Interim suspension of sentence only on the same terms and conditions as imposed by the Court below”

p.t.o.

That the entire subject matter is pending before the Hon'ble High Court and the judgment of the Trial Court is integral part and continuous process of Criminal Appeal No.488 of 2008. He has requested to drop further action as proposed in the show-cause notice dated 05.09.2008, pending final disposal of the Criminal Appeal before the Hon'ble High Court;

(4) And whereas, Government after careful examination of the matter observed that the Hon'ble High Court of Andhra Pradesh in its orders dated 18.04.2008 in Criminal Appeal Miscellaneous Petition No.744 of 2008 in Criminal Appeal No.488 of 2008, granted interim stay on execution of sentence of imprisonment alone by way of bail, but not on conviction and there are no valid grounds put-forth by the said Sri P.D. Prakash, Senior Assistant (Retired) in his explanation;

(5) Now, therefore, in exercise of the powers conferred by sub-rule (i) of rule-25 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 read with rule-9 of the Andhra Pradesh Revised Pension Rules, 1980, Government hereby impose the penalty of withholding entire pension and gratuity permanently on the said Sri P.D. Prakash, Senior Assistant (Retired), Andhra Pradesh Housing Board, Hyderabad.

(6) The Vice Chairman and Housing Commissioner, Andhra Pradesh Housing Board, Hyderabad shall take further action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**M.V.P.C.SASTRY  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri P.D. Prakash, Senior Assistant (Retired),  
A.P. Housing Board, Hyderabad.

Through: the V.C.&H.C., A.P.H.B., Hyderabad.

The Vice Chairman and Housing Commissioner, A.P. Housing Board, Hyderabad.

The Director General, Anti Corruption Bureau, Hyderabad.

Copy to:

The Secretary, A.P. Vigilance Commission, Secretariat, Hyderabad.

The Law (B) Department.

Sf/sc.

//FORWARDED::BY ORDER//

SECTION OFFICER